

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVID ROBERTSON,)
Petitioner)
vs.) Civil Action No. 06-467
SUPERINTENDENT EDWARD KLEM;)
THE DISTRICT ATTORNEY OF THE)
COUNTY OF FAYETTE; THE)
ATTORNEY GENERAL OF THE STATE)
OF PENNSYLVANIA,)
Respondents)
Judge Terrence F. McVerry/
Magistrate Judge Amy Reynolds Hay

ORDER

AND NOW, this 23rd day of April, 2007, after the Petitioner, David Robertson, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and petitioner having filed objections which are found to be without merit, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the habeas corpus petition filed pursuant to 28 U.S.C. Section 2254 is denied;

IT IS FURTHER ORDERED that a certificate of appealability is denied;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

s/ Terrence F. McVerry
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

David Robertson
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